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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,952	12/05/2001	Yves Schabes	2001323-0014	8503

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EXAMINER

TO, BAOQUOC N

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/004,952

Applicant(s)

SCHABES ET AL.

Examiner

Baoquoc N. To

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 16-18, 20, 21, 25, 27, 34-36, 39 and 64-68 is/are pending in the application.
- 4a) Of the above claim(s) 7-15, 19, 22-24, 26, 28-33, 37, 38 and 40-63 is/are ~~withdrawn from consideration~~ *Cancelled*.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 16-18, 20-21, 25, 27, 34-36, 39 and 64-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 7-15, 19, 26, 28-33, 37-38, 40-63 are canceled, claims 64-68 are newly added and claims 1-3, 16-18, 25, 27 and 35 are amended in the amendment filed on 03/27/2005.

Response to Arguments

2. Applicant's arguments with respect to claims 1 and 66 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, 16, 20-21, 25, 27, 34-36, 39 and 64-68 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith (US. Patent No. 6,081,804).

Regarding on claims 1 and 66, Smith teaches a method of fulfilling an information need, comprising the steps of:

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receiving a query comprised of one or more fully specified terms (word) and one or more at least partially unspecified terms (*, ?..) (col. 5, lines 52-67); and

determining one or more matches for the query, wherein a criterion for determining one of said matches specifies that a relative order of at least one term of said query need not be preserved with respect to at least one other term included in the query (query cat and the result is catch) (col. 6, lines 1-49).

Regarding on claim 2, Smith teaches identifying documents in an index that contain the one or more at least partially unspecified terms, the index including preanalyzed text terms appearing within a plurality of document (col. 6, lines 1-49).

Regarding on claim 3, Smith teaches converting the query into a finite state machine; and matching the finite state machine against the identified contexts (col. 6, lines 1-49).

Regarding on claim 4, Smith teaches the finite state machine is a finite state transducer (col. 6, lines 1-49).

Regarding on claim 5, Smith teaches the finite state machine allows for the appearance of fully specified and at least partially unspecified terms in any order in a potential matching context (query cat result catch) (col. 6, lines 1-49).

Regarding on claim 6, Smith teaches the finite state machine allows for one or more intervening words between the fully specified and at least partially unspecified terms in a potential matching context (query cat result catch) (col. 6, lines 1-49).

Regarding on claim 16, Smith teaches the contexts are stored as finite state machines (col. 6, lines 1-49).

Regarding on claim 20, Smith teaches assigning a score to a match (weight) (col. 2, lines 7-19).

Regarding on claim 21, Smith teaches the score reflects the number of times an instance of the match is located among the plurality of documents (col. 2, lines 7-19).

Regarding on claim 25, Smith teaches ranking the documents that contain a match, and wherein the second outputting step comprises outputting the document identifiers or locations of the documents that contain a match in an order based on the ranking weight) (col. 2, lines 7-19).

Regarding on claim 27, Smith teaches said one or more partially unspecified terms includes a syntactic or a morphological restriction (lower case or upper case) (col. 6, lines 1-49).

Regarding on claim 34, Smith teaches the index comprises locations of terms within documents (the object must be found in the first page) (col. 6, lines 1-49).

Regarding on claim 35, Smith teaches determining the location of a term in the query within a document using the index; and locating a match for the query based on the location of the term within the document.

Regarding on claim 36, Smith teaches ranking a plurality of the located matches or portions thereof (weight) (col. 2, lines 7-19).

Regarding on claim 39, Smith teaches the ranking is based on one or more features selected from the list consisting of the location of a match within a document, a weight assigned to a document that contains a match, the age of a document that

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contains a match, the source of a document that contains a match, and a format feature of a match within a document (col. 2, lines 7-19).

Regarding on claims 64 and 67, Smith teaches the query includes a delimiter indicating a first portion of said query for which a relative order is preserved for one or more terms included in said portion, said relative order being in accordance with a physical position of each term in said first portion with respect to any other terms in said first portion (col. 6, lines 1-49).

Regarding on claims 65 and 68, Smith teaches one of said at least partial unspecified terms includes a predefined character sequence representing a matching restriction that defines at least one of: a syntactical criteria, a morphological criteria, and a criteria defined in accordance with a determination by a computer program, and said one or more matches for the query are determined in accordance with said matching restriction (col. 6, lines 1-49).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US. Patent No. 6,081,804) in view of Lee et al. (US. Pub. No. 2001/0044720 A1).

Regarding on claim 17, Smith does not teach the documents are accessible over the Internet. However, Lee teaches documents are accessible over the Internet (paragraph 0005). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Smith's system to include documents are accessible over the Internet by Lee in order to retrieve documents from the distance.

Regarding on claim 18, Smith does not teach the documents comprise World Wide Web pages. However, Lee teaches teach the documents comprise World Wide Web pages (paragraph 0005). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Smith's system to include documents comprise World Wide Web pages by Lee in order to retrieve documents from the distance.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

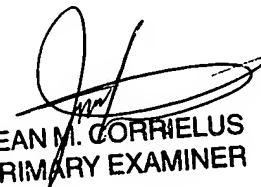
Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Baoquoc N. To

May 26, 2005


JEAN M. CORRIELLUS
PRIMARY EXAMINER